

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

BANCO DE SEGUROS DEL ESTADO,

Plaintiff,

v.

Case No.: 06 CV 2427 (RCC)

INTERNATIONAL FINANCE
CORPORATION,

Defendant.

NOTICE OF MOTION

PLEASE TAKE NOTICE THAT, upon Defendant International Finance Corporation’s (“IFC”) Memorandum of Law in Support of its Motion to Dismiss the Complaint in this action, IFC will move this Court, before the Honorable Richard C. Casey, United States District Court Judge, Room 14C, United States Courthouse, 500 Pearl Street, New York, New York 10007, at such time as the Court may designate, for an Order:

(1) Granting IFC’s Motion to Dismiss the Complaint pursuant to Rule 12(b)(1) of the Federal Rules of Civil Procedure, because none of Plaintiff’s claims are of the type for which IFC has waived immunity under the International Organizations Immunities Act of 1945 (“IOIA”) and IFC’s Articles of Agreement. Therefore, IFC remains immune from Plaintiff’s claims and the Court lacks subject matter jurisdiction over this action.

(2) Granting IFC’s Motion to Dismiss the Complaint pursuant to Rule 12(b)(2) of the Federal Rules of Civil Procedure, because under IFC’s enabling statute, 22 U.S.C. §§ 282f, 282g,

personal jurisdiction over the IFC exists in the District of Columbia, not the Southern District of New York.

(3) Granting IFC's Motion to Dismiss the Complaint pursuant to Rule 12(b)(3) of the Federal Rules of Civil Procedure, because pursuant to 22 U.S.C. § 282f and IFC's Articles of Agreement, the proper venue for a suit against IFC is the District of Columbia.

(4) Granting IFC's Motion to Dismiss the Complaint pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, because the Complaint fails to state a claim against IFC upon which relief can be granted under the applicable laws of Uruguay.

(5) Granting IFC's Motion to Dismiss the Complaint pursuant to Rule 12(b)(7) of the Federal Rules of Civil Procedure, because the Plaintiff has failed to join numerous indispensable parties under Rule 19.

Dated: Washington, D.C.
May 1, 2006

Respectfully submitted,

WHITE & CASE LLP

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